

IN THE SPECIFICATION:

Please amend the Specification as follows:

LD
12/29/06
(a) Please amend the paragraph beginning on page 11, line 23 and bridging into page 12, line 12, as follows:

When not all recording areas of the optical disk D satisfy $A_k < T$, the inspection result is not satisfactory (NO in ST3). Recordable areas are set by the recordable area setting section 26 (ST4). The area k (minimum k) corresponding to the innermost one of the areas that do not satisfy $A_k < T$ is defined as k_0 . Of all recording areas of the optical disk D, areas 1, 2,..., k_0-1 are recordable areas. When information (user information) has already been recorded in an area other than areas 1, 2,..., k_0-1 of all recording areas of the optical disk D (YES in ST5), the optical disk D is handled as an unrecordable erasable disk (ST7 6). When information (user information) has not been recorded in an area other than areas 1, 2,..., k_0-1 of all recording areas of the optical disk D (NO in ST5), the capacity of the areas 1, 2,..., k_0-1 is handled as the capacity (recordable area) of the disk (ST6 7).